

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

UNITED STATES OF AMERICA, §
§
Plaintiff, §
§
v. § CRIMINAL NO. SA-23-CR-00483-FB
§
(17) MARK ANTHONY AVILA, §
§
Defendant. §

BILL OF PARTICULARS FOR FORFEITURE OF PROPERTY

Comes now the United States of America, by and through the United States Attorney for the Western District of Texas and the undersigned Assistant United States Attorney, and files the following Bill of Particulars for Forfeiture of Property.

The First Superseding Indictment (Doc. 45), returned on June 5, 2024, gave notice that the United States seeks the criminal forfeiture of certain property pursuant to Title 21 U.S.C. § 853(a)(1) and (2) from the Defendant. Specifically, this Bill of Particulars seeks the criminal forfeiture of property which are included herein.

The United States hereby gives notice that it seeks the criminal forfeiture of certain property from the Defendant for the violations of Title 21 U.S.C. §§ 846, 841(a)(1) and (b)(1)(A)/(B) as follows:

NOTICE OF UNITED STATES OF AMERICA'S DEMAND FOR FORFEITURE
[See Fed. R. Crim. P. 32.2]

I.
Drug Violations and Forfeiture Statutes
[Title 21 U.S.C. §§ 846, 841(a)(1) and (b)(1)(A)/(B),
subject to forfeiture pursuant to Title 21 U.S.C. § 853(a)(1) and (2)]

As a result of the foregoing criminal violations set forth in Counts One and Two of the First Superseding Indictment, the United States of America gives notice to the Defendant of its

intent to seek the forfeiture of the property described below upon conviction and pursuant to Fed. R. Crim. P. Rule 32.2 and Title 21 U.S.C. § 853(a)(1) and (2), which state:

Title 21 U.S.C. § 853. Criminal forfeitures

(a) Property subject to criminal forfeitures.

Any person convicted of a violation of this subchapter or subchapter II of this chapter punishable by imprisonment for more than one year shall forfeit to the United States, irrespective of any provision of State law –

- (1) any property constituting, or derived from, any proceeds the person obtained, directly or indirectly, as the result of such violation;
- (2) any of the person's property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, such violation; ...

This Notice of Forfeiture includes but is not limited to the following property:

II.
Property

1. Ruger, model 10/22, .22 caliber rifle, serial number 114-50594;
2. Ithaca, model 37 Featherlight, 20-gauge shotgun, serial number 903702;
3. Any and all other property and/or accessories involved in or used in the commission
4. of the criminal offenses; and
5. Any and all firearms, ammunition, and/or accessories involved in or used in the commission of the criminal offenses.

Respectfully submitted,

JAIME ESPARZA
United States Attorney

By: _____ /s/
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CERTIFICATE OF SERVICE

I hereby certify that on September 16, 2024, the foregoing instrument was electronically filed with the Clerk of the Court using the CM/ECF System which will transmit notification of such filing to the following CM/ECF participant:

Lorraine Efron
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Attorney for Defendant (17) MARK ANTHONY AVILA

/s/
RAY A. GATTINELLA
Assistant United States Attorney